



# Wisconsin Elections Commission

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## **MEMORANDUM**

**DATE:** For the June 10, 2022 Commission Meeting

**TO:** Members, Wisconsin Elections Commission

**FROM:** Meagan Wolfe, Administrator,  
Wisconsin Elections Commission

**SUBJECT:** Ballot Access for the 2022 General Election

This memorandum presents a summary of important and noteworthy information regarding candidates requesting ballot access for the 2022 General Election.

### **Summary**

The nomination paper filing deadline for the 2022 General Election for congressional, legislative, state and county partisan offices was 5:00 p.m. on Wednesday, June 1, 2022. 411 candidates applied to run for 130 state and federal offices. 74 of those candidates ultimately did not submit any nomination papers.

A total of 337 candidates filed nomination papers with the Wisconsin Elections Commission. The first day to circulate nomination papers was Friday, April 15, 2022, and the first set of papers was filed on April 25.

The number of sets of papers received by week is set out below:

Week of:	Sets of Papers
April 25	3
May 2	6
May 9	13
May 16	47
May 23	144
May 30 (2 days)	80
June 1 deadline	44
<b>Total</b>	<b>337</b>

### **Notifications of Noncandidacy**

Thirty-three incumbents filed notifications of noncandidacy with the Elections Commission by the Friday, May 20, 2022 deadline. Notifications of Noncandidacy are filed by incumbents who are not seeking re-election to the office they currently hold, including incumbents whose district number was changed due to

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Administrator  
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the redistricting process. If an incumbent officeholder does not timely file a Notification of Noncandidacy and subsequently does not file nomination papers, there is a 72-hour extension of the filing deadline for candidates other than the incumbent. Wis. Stat. § 8.15(1). Two incumbents did not timely file either nomination papers or a notification of noncandidacy, which resulted in a 72-hour extension for the offices of Representative to the Assembly, Districts 10 and 15. No candidates filed for during the extension period which expired at 5 p.m. on Saturday June 4<sup>th</sup>. A listing of candidates who filed notifications of noncandidacy is included with this memo.

### **Nomination Paper Review**

In reviewing the nomination papers, staff examined each candidate's submission to determine that it contained a valid number of signatures for the office.

- Candidates for Statewide offices, including United States Senator, must file a minimum of 2,000 valid signatures of qualified electors of the state to qualify for ballot access. Wis. Stat. § 8.15 (6)(a).
- Candidates for Representative in Congress must file a minimum of 1,000 valid signatures of qualified electors from the district to qualify for ballot access. Wis. Stat. § 8.15(6)(b).
- Candidates for State Senator must file a minimum of 400 valid signatures of qualified electors from the district to qualify for ballot access. Wis. Stat. § 8.15 (6)(c).
- Candidates for Representative to the Assembly must file a minimum of 200 valid signatures of qualified electors from the district to qualify for ballot access. Wis. Stat. § 8.15(6)(d).

In addition to filing sufficient nomination paper signatures, each state candidate is also required to also file a Declaration of Candidacy (EL-162) with the WEC and file a Campaign Registration Statement (CF-1), and a Statement of Economic Interests (SEI) with the Wisconsin Ethics Commission in order to qualify for ballot access. Wis. Stat. §§ 11.05(2g), 8.21, 19.43(4). For the 2022 Fall Elections, Statements of Economic Interests were due at the Ethics Commission office by Monday, June 6, 2022. If a 2022 Statement of Economic Interest (SEI) was already filed with the Ethics Commission for another purpose, that SEI was used to fulfill the filing requirement. Federal candidates are only required to file a Declaration of Candidacy in addition to their nomination papers. Wis. Stat. § 8.21.

Failure to file any required ballot access document prevents the candidate's name from appearing on the ballot. Wis. Stat. § 8.30. Staff used the guidance provided in Wis. Admin. Code EL § 2.05 to review the nomination papers submitted to determine if a given signature was facially valid. Signatures were struck for a variety of issues including but not limited to, incomplete addresses or dates, addresses that are located outside of the district, illegible printed name or an incomplete certification of the circulator. The nomination paper review guide that staff use for guidance when reviewing petition pages has been provided to you along with the materials prepared for this meeting. Wis. Admin. Code EL § 2.05 does not require the review process to include the identification and elimination of duplicate signatures or signatures from individuals who are ineligible to vote due to age, residency, citizenship, or other disqualifying factors.

It has been the policy of the staff of the Wisconsin Elections Commission to review all nomination papers and determine sufficiency within one business day of submission. Further, for papers received on deadline day, a determination regarding sufficiency was either made before staff retired for the evening or on the day

following the deadline. Each submitted petition is subject to two rounds of review by staff before sufficiency is determined. Staff reviewed the majority of all submitted petitions the same day they were submitted to the WEC.

In total, staff reviewed roughly 260,839 signatures as part of the 337 submitted petitions. By the deadline for filing nomination papers, 136 candidates had also filed additional nomination papers or correcting affidavits to supplement their original filings. Elections Administration staff made use of personnel from other WEC teams to provide the necessary capacity to review the influx of nomination papers and timely determine sufficiency.

Staff continued to implement the changes put in place by staff in 2020 for conducting candidate meetings and facilitating paperwork filings. An appointment-based system was used to stagger visits to our office and decrease the likelihood of congestion at the front desk and in meeting space areas for each day of the filing period, except for the June 1 deadline when candidates were processed in order of arrival. Candidates without appointments were also accommodated throughout the filing period and no candidate was turned away for lack of an appointment.

### **Nomination Paper Copy Requests**

In order to facilitate requests for copies of nomination papers and limit the amount of visitors to the WEC offices, staff made candidate petitions available for download via the Badger Voters data request site (<https://badgervoters.wi.gov/>). Requests for copies of petitions had traditionally been fulfilled through in person review and photocopying of files in the WEC offices. After the review process was complete, each petition was scanned and uploaded to the site and available for download at no cost to the requestor. As of June 8, 2022, 976 requests for nomination paper files had been fulfilled through Badger Voters.

### **Irregularities in Ballot Access Documents Not Affecting Ballot Status**

During review of nomination papers and other ballot access documents, WEC staff identified the following irregularities, none of which affected ballot status:

#### **Name of Office Sought**

- Staff allowed for irregularities in listing office titles, such as “Assembly,” “State Assembly,” “State Representative,” “Senate,” “Senator,” and “House of Representatives”.

#### **Printed names of signers on nomination papers appear to be written by the circulator.**

- Staff continues to find printed names of signers and address information that appear to be in the same handwriting as the circulator. Wis. Stat. § 8.10 (4)(b), requires the printed name and address information to be made by the signer of the petition, unless the signer requests assistance in signing or printing their name and address. As in past elections cycles, staff did not strike such signatures. Had staff struck the signatures for this reason, each candidate would still have sufficient signatures.

### **Staff Recommendations for Approval of Ballot Access**

A listing of candidates recommended for ballot status is included with this memorandum. Staff requests the Commission affirmatively approve the ballot status of those candidates listed who have met or exceeded the

minimum valid signatures and have filed all necessary ballot access documents. Candidates that the staff have determined meet the required ballot access requirements are marked as “approve” on the report.

This listing includes candidates whose nomination papers contain nominal issues such as form template issues, improper but common replacements for office titles, and suspiciously similar handwriting. During its rounds of review, Commission staff determined that these minor issues were not detrimental to the sufficiency of the papers, and that the papers substantially complied with all requirements under the applicable laws and administrative code provisions.

**Recommended Motion #1:** The 325 candidates representing ballot-status parties marked “approve” on the “Candidates Tracking by Office” report are approved for ballot access for the August 9, 2022 Partisan Primary, in addition to any candidates who were subject to challenge but were ultimately approved for ballot access by the Commission.

**Recommended Motion #2:** The 9 independent candidates marked “approved” on the “Candidates Tracking by Office” report are approved for ballot access for the November 8, 2022 General Election, in addition to any independent candidates who were subject to challenge but were ultimately approved by the Commission.

### **Staff Recommendations for Denial of Ballot Access**

Staff requests the Commission affirmatively deny the ballot status of those candidates listed who have not met the minimum number of valid signatures, have not filed all necessary ballot access documents or are otherwise do not meet the statutory requirements to be placed on the ballot. Candidates that staff have determined do not meet the required ballot access requirements are marked as “deny” on the report.

**Recommended Motion #3:** The 75 candidates representing ballot-status parties and independent candidates marked “denied” on the “Candidates Tracking by Office” report are denied ballot access for the August 9, 2022 Partisan Primary and the November 8, 2022 General Election respectively, in addition to any candidates who were subject to challenge but were ultimately denied ballot access by the Commission.

### **Challenges to Ballot Status**

The deadline for challenges to ballot access was Monday June 6, 2022. Eleven challenges were filed with the Commission by the deadline of 4:30 p.m. One challenge was received electronically shortly after the 4:30 p.m. deadline. Staff informed the late challenger in writing that this challenge was not filed timely and would not be accepted and processed.

Challenges will be discussed in a separate memorandum and presented by staff counsel.